

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**CIVIL CASE NO. 1:10cv173**

**RES-NC SETTLERS EDGE, LLC,** )  
**a Florida limited liability company,** )  
 )  
**Plaintiff,** )  
 )  
**vs.** )  
 )  
**SETTLERS EDGE HOLDING** )  
**COMPANY, LLC, a North Carolina** )  
**limited liability company, et. al.,** )  
 )  
**Defendants.** )  
\_\_\_\_\_ )

**ORDER**

**THIS MATTER** is before the Court *sua sponte* to ascertain the status of the case.

Affidavits of service filed by the Plaintiff show that the Defendants have been served but have failed to appear. [Docs. 4 through 13]. The Plaintiff, however, has not moved for entry of default.

In addition, through communication from the chambers of the undersigned, Plaintiff's counsel was instructed that a Carden<sup>1</sup> response would

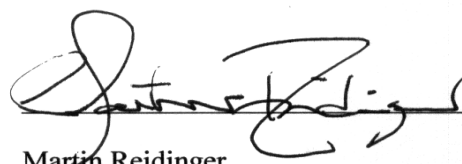
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<sup>1</sup>A limited liability company is a citizen of all states in which its constituent members are citizens. Carden v. Arkoma Associates, 494 U.S. 185, 110 S.Ct. 1015, 108 L.Ed.2d 157 (1990).

be required prior to entry of default judgment. No such response has been placed in the record.

**IT IS, THEREFORE, ORDERED** that on or before thirty (30) days from entry of this Order, the Plaintiff shall file response advising the Court of its intention to further prosecute this matter. In the event that the Plaintiff does so intend, the Plaintiff shall within the same time period file response disclosing the names and citizenships, if any, of all the constituent members or partners of each of the limited liability companies named as parties herein, and, for any such constituent members or partners that are limited liability companies or partnerships, to identify the citizenships of the respective constituent members or partners until all such constituents are fully identified.

Signed: October 18, 2010

  
Martin Reidinger  
United States District Judge

